United Nations A/65/474

General Assembly

Distr.: General
11 November 2010
English
Original: Spanish

Sixty-fifth session
Agenda item 86

The scope and application of the principle of universal jurisdiction

Report of the Sixth Committee

Rapporteur: Mrs. Glenna **Cabello de Daboin** (Bolivarian Republic of Venezuela)

I. Introduction

1. The item entitled "The scope and application of the principle of universal jurisdiction" was included in the provisional agenda of the sixty-fifth session of the General Assembly pursuant to Assembly resolution 64/117 of 16 December 2009.

2. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 10th to 12th, 27th and 28th meetings, on 13 and 14 October and on 5 and 11 November 2010. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/65/SR.10-12, 27 and 28).

II. Consideration of draft resolution A/C.6/65/L.18

4. At the 27th meeting, on 5 November, the representative of Ghana, on behalf of the Bureau, introduced a draft resolution entitled "The scope and application of the principle of universal jurisdiction" (A/C.6/65/L.18). It was understood that the Secretariat would prepare for the working group envisaged in the draft resolution a compilation of international treaties and decisions of international tribunals which may be relevant to the principle of universal jurisdiction.

5. At its 28th meeting, on 11 November, the Committee adopted draft resolution A/C.6/65/L.18 without a vote (see para. 6).

10-54791 (E) 301110

Please recycle

III. Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

The scope and application of the principle of universal jurisdiction

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations, to international law and to an international order based on the rule of law, which is essential for peaceful coexistence and cooperation among States,

Recalling its resolution 64/117 of 16 December 2009,

Recognizing the diversity of views expressed by States and the need for further consideration towards a better understanding of the scope and application of universal jurisdiction,

Reiterating its commitment to fighting impunity, and noting the views expressed by States that the legitimacy and credibility of the use of universal jurisdiction are best ensured by its responsible and judicious application consistent with international law,

1. *Takes note with appreciation* of the report of the Secretary-General prepared on the basis of comments and observations of Governments;[1]

2. *Decides* that the Sixth Committee shall continue its consideration of the scope and application of universal jurisdiction, without prejudice to the consideration of this topic and related issues in other forums of the United Nations, and for this purpose decides to establish, at its sixty-sixth session, a working group of the Sixth Committee to undertake a thorough discussion of the scope and application of universal jurisdiction;

3. *Invites* Member States and relevant observers, as appropriate, to submit, before 30 April 2011, information and observations on the scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties, their domestic legal rules and judicial practice, and requests the Secretary-General to prepare and submit to the General Assembly, at its sixty-sixth session, a report based on such information and observations;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The scope and application of the principle of universal jurisdiction".

[1] A/65/181.